

Nevada Division of Environmental Protection

FACT SHEET (pursuant to NAC 445A.236)

Permit Name:

National Pollutant Discharge Elimination System Permit for Discharges from Municipal Separate Storm Sewer Systems

Permit Number: NV0021911.

Location:

This permit will immediately effect all or portions of the following areas:

- Clark County
- Las Vegas
- North Las Vegas
- City of Henderson
- Clark County Flood Control District
- Nevada Department of Transportation

Background:

The 1972 amendments to the Federal Water Pollution Control Act (FWPCA, also referred to as the Clean Water Act or CWA) prohibit the discharge of any pollutant to waters of the United States from a point source unless the discharge is authorized by a National Pollutant Discharge Elimination System (NPDES) permit. Efforts to improve water quality under the NPDES program traditionally have focused on reducing pollutants in discharges of industrial process wastewater and from municipal sewage treatment plants. Past efforts to address stormwater discharges under the NPDES program have generally been limited to certain industrial categories with effluent limitations for stormwater. In response to the need for comprehensive NPDES requirements for discharges of stormwater, Congress amended the CWA in 1987 to require the Environmental Protection Agency (EPA) to establish phased NPDES requirements for stormwater discharges. To implement these requirements, EPA published the initial permit application requirements for certain categories of stormwater discharges associated with industrial activity and for discharges from municipal separate storm sewer systems (MS4s) located in municipalities with a population of 100,000 or more (Phase I sources) on November 16, 1990 (55 FR 47990). Stormwater discharge permits provide a mechanism for monitoring the discharge of pollutants from Phase I sources to waters of the United States and for establishing appropriate controls.

Pollutants in stormwater discharges continue to remain a significant source of environmental impacts to the quality of waters of the United States. *The National Water Quality Inventory: 1996 Report to Congress* (USEPA, 1998), provides a general assessment of water quality based on State reports. The report indicates the fraction of the States' waters assessed, as well as the fraction of the States' waters fully supporting their designated uses. The report also enumerates impaired waters, defined as those waters that fail to meet designated use protection criteria. As shown in Table 1-1, the States reported that urban runoff/storm sewer discharges affect 13 percent of impaired rivers and streams, 21 percent of impaired lakes, 10 percent of impaired Great Lake shoreline, 55 percent of impaired ocean shoreline, and 46 percent of impaired estuaries.

Table 1-1. Summary of Water Body Use Impairment Attributable to Urban Runoff/Storm Sewer Discharges

Water Body Type	Percent of Total Waters Surveyed	Percent of Surveyed Waters Found Impaired	Percent of Impaired Waters Impacted by Urban Runoff/Storm Sewers
River and Streams	19	36	13
Lakes	40	39	21
Great Lakes Shoreline	94	97	4
Ocean Shoreline	6	13	55
Estuaries	72	28	46

Source: USEPA, 1998.

The following describes, in more detail, the types of discharges covered by the Stormwater Phase I Program and the application options for these discharges.

The CWA requires that NPDES permits for discharges from municipal separate storm sewer systems include a requirement to effectively prohibit non-stormwater discharges into the storm sewers, and implement controls to reduce the discharge of pollutants to the maximum extent practicable including management practices, control techniques and system design and engineering methods. EPA or authorized NPDES States may issue system-wide or jurisdiction-wide permits covering all discharges from a MS4. The November 1990 stormwater final rule established requirements for a two-part permit application designed to facilitate development of site specific permit conditions. The permit application requirements provided municipal applicants an opportunity to propose appropriate management programs to control pollutants in discharges from their municipal systems. This application process increased flexibility to develop appropriate permit conditions and ensured input from municipalities in developing appropriate controls.

Aside from general requirements, the reissuance of this Large MS4 permit addresses several areas including adequate legal authority; source identification; characterization data; public outreach and education; best management practices (BMP); illicit discharge and detection; industrial facility monitoring and control; and a construction site BMP program.

Projected Impact:

At this time, six (6) entities will be continue to be impacted by this Permit, they include all or portions of the following:

1. **Clark County** – Automatic designation by EPA.
2. **Las Vegas** - Automatic designation by EPA.
3. **North Las Vegas** - Automatic designation by EPA.
4. **Henderson** - Automatic designation by EPA.
5. **Clark County Flood Control District** - Automatic designation by EPA.
6. **Nevada Department of Transportation** - Automatic designation by EPA.

Receiving Water Characteristics:

Variable depending on location

Permit Requirements:

This permit is in response to requirements of the Federal Clean Water Act and implementing federal regulations, to effectively prohibit non-stormwater discharges into the storm sewers, and implement controls to reduce the discharge of pollutants to the maximum extent practicable including management practices, control techniques and system design and engineering methods.

Rationale for Permit Requirements:

The conditions set in permit language are the minimum requirements to maintain and implement an effective stormwater program within the confines of U. S. EPA published rules (Title 40 of the Code of Federal Regulations Part 122) for use in stormwater permits.

Prepared by: Clifford M. Lawson
Staff II Associate Engineer
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